

Agenda Supplement – Equality and Social Justice Committee

Meeting Venue:

Committee Room 5 (Hybrid)

Meeting date: 5 June 2023

Meeting time: 14.00

For further information contact:

Rhys Morgan

Committee Clerk

0300 200 6565

SeneddEquality@senedd.wales

Hybrid –

Please note the documents below are in addition to those published in the main Agenda and Reports pack for this Meeting

Pre-meeting registration: 13:50–14:00

1 Introductions, apologies, substitutions and declarations of interest

(14:00)

2 Papers to note

(14:00)

2.1 Correspondence between the Minister for Social Justice and Chief Whip and the Equality and Social Justice Committee regarding the Committee's report on the Experiences of Women in the Criminal Justice System

(Pages 1 – 4)

Attached Documents:

19 May 2023

28 April 2023



2.2 Correspondence from the Chair of the Local Government and Housing Committee to the Business Committee regarding the Legislative Consent Memorandum for the Illegal Migration Bill

(Pages 5 – 6)

Attached Documents:

Correspondence from the Chair of the Local Government and Housing Committee to the Llywydd regarding the Legislative Consent Memorandum for the Illegal Migration Bill – 18 May 2023

2.3 Correspondence between the Minister for Social Justice and Chief Whip and the Chair regarding the Anti Racist Wales Programme

(Pages 7 – 11)

Attached Documents:

1 June 2023

2 May 2023

3 Motion under SO17.42 (ix) to exclude the public for the remainder of the meeting

4 Forward work planning

(14:00 – 15:15)

(Pages 12 – 47)

Attached Documents:

Forward work programme

Scoping paper 1

Scoping paper 2

Scoping paper 3

Jenny Rathbone MS
Chair, Equality and Social Justice
Committee

19 May 2023

Dear Jenny

I am writing in response to your letter of 28 April in which you seek clarification on a small number of issues outlined in my response to your final report.

I remain grateful for the diligent and dedicated approach you have taken and continue to take through this inquiry, recognising the importance of ensuring Welsh women in the criminal justice system have access to the support they and their families need.

With thanks to my justice partners for their contributions, I have provided responses to your queries below.

Recommendation 11: Your response states that HMPPS will be taking forward recommendations from the recent Pre-Sentencing Report (PSR) pilot. Please could you provide further information on the outcome of that pilot.

Response: The PSR pilot ended in March 2023 and the formal Process Evaluation of the pilot is due to be published by the end of May 2023.

At the end of the operational phase, the two pilot sites in Wales have continued to build on the improved processes put in place over the last two years such as early identification of cases that would benefit from a PSR in line with the national operational court strategy.

Once the report has been shared with me, I will formally update the Committee on the outcomes.

Recommendation 12: We note that the Welsh Government will work with HMPSS to ensure that information about how to contact elected Members in Wales is available to women from Wales. Please could you provide further details about how and what information will be made available to prisoners.

Response: HM Prison and Probation Service is considering how best to address this recommendation. HMPPS were unfortunately unable to provide a response in time for me to

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Jane.Hutt@llyw.cymru
Correspondence.Jane.Hutt@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

include that in this letter, but this is an area where we are continuing to press the importance of swift action to ensure Welsh women are able to contact their Senedd Member, no matter their circumstances. I will update the Committee as soon as the relevant information is made available to me.

Recommendation 15: Please could you provide additional information on the Rehab Cymru Framework. Could you also clarify who is responsible for funding of detoxification treatment for women from Wales in prison in England.

Response: Our Tier 4 Framework, Rehab Cymru, which launched in April 2020, provides an approved list of residential rehabilitation providers and the availability to see types of treatment, pricing schedule, location and inspection reports in order to assist in service user and professional choice. Once a setting has been chosen by the service user and key worker the online referral form on Rehab Cymru is completed and placement is made.


More information is available on the Rehab Cymru website:

[Rehab Cymru | Drug & Alcohol Rehab Treatment Centres & Detox Clinics](#)

In terms of funding detoxification for women from Wales in prison in England, all treatment within prisons in England is the responsibility of NHS England. Once women are released, local authorities have responsibility under the Social Service and Well-being (Wales) Act 2014 to assess whether an adult has an identified need for substance misuse residential rehabilitation as part of local care and support arrangements.

The regulations on eligibility under the Social Service and Well-being (Wales) Act specifically refer to the need arising from dependence on alcohol and drugs. Residential rehabilitation and inpatient detoxification can play an important role in helping substance misuse service users secure long term recovery. The Welsh Government remains committed to ensuring that such services are available. In doing so we allocate £2m ring fence annual funding from the Substance Misuse Action Fund to Area Planning Boards (APBs) for the provision of Tier 4 services. This funding is designed to supplement and support local authority funding as part of their duties to undertake assessments under the Social Services and Well-Being Act.

Yours sincerely



Jane Hutt AS/MS
Gweinidog Cyfiawnder Cymdeithasol a'r Prif Chwip
Minister for Social Justice and Chief Whip

Jane Hutt MS
Minister for Social Justice

28 April 2023

Dear Jane

Equality and Social Justice Committee report: Women's experiences in the criminal justice system

Thank you for your response to our report on women's experiences in the criminal justice system, which we noted at our meeting on 24 April 2023.

Our consideration of your response raised several questions, which are set out below.

Recommendation 11: Your response states that HMPPS will be taking forward recommendations from the recent Pre-Sentencing Report pilot. Please could you provide further information on the outcome of that pilot.

Recommendation 12: We note that the Welsh Government will work with HMPSS to ensure that information about how to contact elected Members in Wales is available to women from Wales. Please could you provide further details about how and what information will be made available to prisoners.

Recommendation 15: Please could you provide additional information on the Rehab Cymru Framework. Could you also clarify who is responsible for funding of detoxification treatment for women from Wales in prison in England.

A debate is scheduled for 24 May, therefore we would welcome a response in advance of that date if possible. With thanks for your continued engagement with us on this issue.

Yours sincerely,



Jenny Rathbone MS
Chair, Equality and Social Justice Committee

Elin Jones MS
Y Llywydd
Chair, Business Committee

18 May 2023

Annwyl Lywydd,

Legislative Consent Memorandum for the Illegal Migration Bill

You will be aware that on 25 April, the Business Committee agreed to invite the Local Government and Housing Committee, the Equality and Social Justice Committee and the Legislation, Justice and Constitution Committee to consider the Legislative Consent Memorandum on the Illegal Migration Bill (the "LCM"), with a reporting deadline of 15 June. The LCM was subsequently also referred to the Children, Young People and Education Committee.

We considered the LCM at our meeting on 11 May. The LCM states that clauses 19 and 20 require consent because they relate to the devolved matter of social care, which is not within the Committee's remit. These clauses could place duties on local authorities in Wales. If passed, the Bill would give the Home Secretary powers to provide or arrange for the provision of accommodation to unaccompanied children who meet certain conditions under the Bill, and to transfer such children from Home Office accommodation into local authority care, and vice versa. Clause 19 enables these provisions to be extended to Wales without the requirement for Senedd consent.

We discussed whether to report on the LCM and decided against doing so, mainly because the provisions of the Bill fall outside of the Committee's remit. Even though the Bill enables provisions to be extended to Wales and by virtue may place duties on local authorities, it would be unreasonable for the Committee to consider every UK or Senedd Bill that places duties on, or transfers powers to, Welsh local authorities.

In addition, during our discussions, the Chair of the Children, Young People and Education Committee, who is also a member of our Committee, confirmed that her committee would most likely be undertaking work on the LCM. We also understand that it will be considered by two other

committees: the Equality and Social Justice Committee and the Legislation, Justice and Constitution Committee. On that basis, and for the other reasons outlined above, we have decided not to report on this LCM.

I am copying this letter to the other committees the LCM has been referred to for information.

Yours sincerely



John Griffiths MS

Chair, Local Government and Housing Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

Jenny Rathbone MS
Chair, Equality and Social Justice Committee
Senedd Cymru Bae
Caerdydd,
CF99 1SN

1st June 2023

Dear Jenny,

Thank you for your letter as Chair of the Equality and Social Justice Committee requesting clarification on points regarding the Anti-racist Wales Action Plan. Please see my responses for each of your questions below.

- 1) *You asked how the Welsh Government is monitoring progress of the implementation of the Anti-Racist Wales Action Plan.*

The Welsh Government is doing this through clear measures, including indicators for success. We have divided out actions into eleven broad policy areas and identified a clear set of goals and actions to achieve anti-racism.

The Governance Structure is in place with the Internal Support and Challenge Group now meeting monthly. We have appointed six external experts on anti-racism and eleven community representatives with lived experience to join the External Accountability Group. Prof. Emmanuel Ogbonna and Andrew Goodall, Permanent Secretary, Welsh Government, are the Co-chairs. The Group is now meeting bi-monthly. The Accountability Group's core focus is to ensure the delivery of the Plan, monitoring progress on actions and commitments and ensuring momentum is maintained.

We have uploaded the entire Anti-racist Wales Action Plan onto the Business Information Reporting Tool (BIRT) to establish a shared approach to tracking progress and meeting our commitments. It provides a simple and consistent means of recording, monitoring, and reporting against commitments and priorities. BIRT has been endorsed by the Permanent Secretary and Executive Committee (ExCo) as the corporate Welsh Government performance reporting tool for monitoring delivery of Ministerial commitments.

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Gohebiaeth.Jane.Hutt@llyw.cymru
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We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

2) *You also asked what role cohesion coordinators will play in delivering the Anti-Racist Wales Action Plan, including details of how these nine cohesion coordinators work across Wales, and what their role is more generally.*

The Community Cohesion Programme operates across all 22 Local Authorities in Wales which, for the purposes of this programme, are divided into eight cohesion regions: Cardiff & the Vale, Cwm Taf, Gwent East, Gwent West, Mid & West Wales, North-East Wales, North-West Wales, and Swansea Bay. Each of the eight regional teams consist of one lead co-ordinator supported by two cohesion officers.

The Cohesion teams currently deliver a range of activities, including:

- Monitoring community tensions and working with partners to mitigate them.
- Supporting public bodies and other organisations with the provision of training on equality and inclusion related issues.
- Ensuring community cohesion issues are considered in the development of local authority plans and policies.
- Fostering good relations by developing events and projects to bring people from across different communities together.

The Cohesion teams have been an important part of the Welsh Government's response to several emerging and unforeseen issues impacting communities in Wales, including assisting marginalised communities during the Covid-19 pandemic, responding to flashpoints of tension such as the housing of people seeking sanctuary in Penally, and supporting the local authority response to the sudden migration of people from Syria, Afghanistan, Ukraine, and Hong Kong.

The Cohesion Teams will take forward the following two goals of the Anti-Racist Wales Plan:

- Community Cohesion Programme will focus on events and activities which foster good relations between groups through reducing segregation and increasing empathy and understanding.
- Ensure Cohesion teams act as conduits between communities and public bodies to promote participation in policymaking and equality of opportunity for ethnic minority communities.

3) *You also asked what role the implementation team will play in delivering the Anti-Racist Wales Action Plan?*

The Anti-racist Wales Implementation Team leads on the development and monitoring of the goals and actions within the plan. They support implementation by working closely with internal policy officials and external stakeholders.

The implementation team has established an innovative model of governance structure. The team collaborates closely with the Race Disparity Evidence Unit, Internal Support and Challenge Group, and the External Accountability Group.

Work is underway to establish four Regional Forums across Wales that will capture lived experience and provide a direct link to our work and engagement with our Black, Asian and Minority Ethnic people across Wales. They will soon be establishing sub-groups for each policy area, such as education, housing, health, culture, heritage, sport, childcare, play, and

environment and climate change, to ensure that we are 'joined-up' and utilising all the expertise within our network.

4) *Lastly, you asked if the team is fully operational at present.*

Yes, they are fully operational at present. The implementation team currently consists of Riaz Hassan as the Head of Anti-racist Wales Action Plan Implementation Team, two Senior Project Managers, one Implementation Manager and one Policy Officer. We have a vacancy to fill for Team Support.

I hope that this answers the committee's questions and provides the necessary clarification.

Your sincerely,

A handwritten signature in black ink that reads "Jane Hutt". The signature is written in a cursive style with a long horizontal line above the first name.

Jane Hutt AS/MS

Y Gweinidog Cyfiawnder Cymdeithasol a'r Prif
Minister for Social Justice and Chief Whip

Jane Hutt MS
Minister for Social Justice

2 May 2023

Dear Jane

Anti-Racist Wales Action Plan

The Equality and Social Justice Committee recently held a roundtable stakeholder event discussing the Anti-Racist Wales Plan.

In light of the discussions Members had with stakeholders at the event, I would be grateful if you could provide clarification on the following:

- How is Welsh Government monitoring progress of the implementation of the Anti-Racist Wales Action Plan?
- What role will cohesion coordinators play in delivering the Anti-Racist Wales Action Plan, including details of how these nine cohesion coordinators work across Wales, and what their role is more generally?
- What role will the implementation team play in delivering the Anti-Racist Wales Action Plan?
- Is the team fully operational at present; if not what is the timetable for the required staff to be appointed?

Many thanks for your assistance in providing these details.

Yours sincerely,



Jenny Rathbone MS
Chair, Equality and Social Justice Committee

Agenda Item 4

By virtue of paragraph(s) vii of Standing Order 17.42

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